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4	IN THE UNITED STATES DISTRICT COURT	
5	FOR THE NORTHERN DISTRICT OF CALIFORNIA	
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7	UNITED STATES OF AMERICA, Plaintiff,) No. CR 10-00244 EMC
8	vs.) STIPULATION AND ORDER) CONTINUING HEARING AND
10	MICHAEL ANTHONY NELSON,	EXCLUDING TIME)
11	Defendant.	
12	STIPULATION	
13	The parties agree to continue the hearing in the above-captioned matter from March 7, 2012	
14	until March 21, 2012 at 2:30 p.m. Defense counsel avers that the basis for the continuance is the	
15	unexpected illness of the defendant.	
16	For the foregoing reasons, the parties agree to the stated continuance and request that time be	
17	excluded under the Speedy Trial Act based upon the temporary unavailability of the defendant and	
18	the related need for effective preparation by defense counsel.	
19	It is so stipulated.	
20	DATED: March 6, 2012	/s/
21		RONALD TYLER Assistant Federal Public Defender
22		Counsel for Michael Anthony Nelson
23	DATED: March 6, 2012	/s/
24		MICHELLE J. KANE Assistant United States Attorney
25		
26	STIP & ORDER CONTINUING HEARING United States v. Nelson CR 10-00244 EMC	- 1 -

ORDER

The Court finds as follows:

The defendant's illness renders him temporarily unavailable and temporarily physically unable to stand trial, pursuant to the Speedy Trial Act, Title 18 United States Code §§3161(h)(3)(A) and 3161(h)(4).

Moreover, the ends of justice are served by granting the requested continuance, given that failure to do so would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

The aforementioned ends of justice outweigh the best interest of the public and the defendant in a speedy trial.

Accordingly, this matter is continued until March 21, 2012 at 2:30 p.m. Pursuant to the Speedy Trial Act, Title 18 United States Code §§3161(h)(3)(A), 3161(h)(4), 3161(h)(7)(A) and 3161(h)(7)(B)(iv), the period from March 7, 2012 until March 21, 2012 is excluded in computing the time within which the trial of this matter must commence.

IT IS SO ORDERED.

17 DATED: 3/7/12

STIP & ORDER CONTINUING HEARING

United States v. Nelson CR 10-00244 EMC

